

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MARY MARGARET MATHIS, individually §
and as Administrator of the ESTATE OF §
HOLLY BARLOW-AUSTIN; and MICHAEL §
GLENN AUSTIN, individually, §

Plaintiffs,

v.

SOUTHWESTERN CORRECTIONAL, LLC §
d/b/a LASALLE CORRECTIONS, LLC and §
LASALLE SOUTHWEST CORRECTIONS; §
LASALLE MANAGEMENT COMPANY, §
LLC; BOWIE COUNTY, TEXAS; §
TIMOTHY REYNOLDS, M.D., individually; §
STEVEN FOLTZ, individually; JAMES §
MCCANN, individually; MICHELLE §
ARNOLD, individually; TIFFANY HILL; §
individually; MARKESHA JONES, §
individually; A. HUGHES, individually; B. §
CERY, individually; and JOHN and JANE §
DOES 1-10. §

Defendants.

NO.: 5:20-cv-00146-RWS-JBB

AGREED MOTION TO DISMISS CERTAIN CLAIMS WITHOUT PREJUDICE

All parties, by and through their counsel, hereby stipulate and agree as follows:

1. Plaintiffs desire to dismiss all claims asserted in this action against Defendants Bowie County, Texas, and LaSalle Management Company, LLC without prejudice to the refiling of the same and without regard to the statute of limitations.

2. All defendants stipulate to the dismissal of Defendants Bowie County, Texas, and LaSalle Management Company, LLC without prejudice to the refiling of the same and without regard to the statute of limitations.

3. On March 23, 2023, Plaintiffs filed a Motion to Dismiss Bowie County, Texas (ECF 175), and a Motion to Dismiss LaSalle Management Company, LLC (ECF 174). However, because those motions have been noted on the regular motions calendar, and because the parties desire to expedite the dismissal without prejudice of these defendants, the parties jointly request that ECF Nos. 175 and 174 be stricken from the motions calendar and that this Agreed Motion to Dismiss Certain Claims Without Prejudice be accepted in lieu of ECF Nos. 175 and 174.

4. Following performance of the settlement reached in this matter, as explained in the parties' Status Update Concerning Settlement (ECF 176), Plaintiffs and the LaSalle Defendants will submit a joint motion to dismiss the LaSalle Defendants with prejudice and the removal of this case from the active docket of the Court.

5. The parties jointly request that the Court now enter the order submitted with this motion, dismissing Defendants Bowie County, Texas, and LaSalle Management Company, LLC without prejudice to the refiling of the same and without regard to the statute of limitations.

/s/ James L. Cook

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CERTIFICATE OF SERVICE

The undersigned certifies that on March 29, 2023, this document was filed with the Clerk of the Court for the United States District Court for the Eastern District of Texas, via the CM/ECF system, which will send notification of such filing to any counsel of record.

/s/ Edwin S. Budge
Edwin S. Budge